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*Attorneys for Plaintiffs*

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

-----X  
 MARCO BORGRA, et al.,

Plaintiffs,

- against -

THE REPUBLIC OF ARGENTINA,

Defendant.  
 -----X

:  
 : 07 CV 5807 (TPG)  
 :

: **DECLARATION OF**  
 : **ALFREDO CARLOS ALZAGA**  
 : **IN SUPPORT OF MOTION**  
 : **FOR SUMMARY JUDGMENT**

ALFREDO CARLOS ALZAGA declares under penalty of perjury as follows:

1. I am a citizen of the Republic of Argentina ("Argentina") and one of the plaintiffs in the above-captioned matter. I make this declaration in support of plaintiffs' motion for summary judgment as against Argentina. I have personal knowledge of the facts set forth below.

2. As set forth in the Complaint, it cannot be disputed that (i) I own the bonds upon which I have sued (the "Bonds"); (ii) Argentina has defaulted on its contractual obligations with respect to the Bonds; and (iii) I provided Argentina with written notice of default accelerating Argentina's payment obligations. Accordingly, summary judgment is appropriate.

3. Before February 2005, I acquired the Bonds that were issued by Argentina pursuant to a Fiscal Agency Agreement, dated as of October 19, 1994 (the "1994 Fiscal Agency

Agreement")<sup>1</sup> in the aggregated principal amount of \$264,100 having the ISIN No. US040114GF14 and CUSIP No. 040114GF1. The Bonds are deposited under the name of my broker, Bahia Blanca Sociedad de Bolsa S.A., and have been booked electronically by Caja de Valores in my name. A copy of my most recent account statement, for the period of July 1, 2007 to September 30, 2007, is annexed hereto as Exhibit 1. That statement indisputably shows that I continue to own the Bonds.

4. Notwithstanding its payment obligations under the Bonds, on or about December 20, 2001, Argentina announced an indefinite moratorium on the payment of principal and interest with respect to all of its foreign debt, including all payments due under the Bonds.

5. The declaration of the moratorium by Argentina and its failure to pay interest constitute "Events of Default" as defined by the 1994 Fiscal Agency Agreement.

6. In addition, Section 12 of the 1994 Fiscal Agency Agreement specifically defines "Events of Default" to include the following:

- (a) Non-Payment: the Republic fails to pay any principal of any of the Securities of such Series when due and payable or fails to pay any interest on any of the Securities of such Series when due and payable and such failure continues for a period of 30 days; or
- (d) Moratorium: a moratorium on the payment of principal of, or interest on, the Public External Indebtedness of the Republic shall be declared by the Republic.

7. Section 12 of the 1994 Fiscal Agency Agreement further provides that following either of the foregoing Events of Default, a bondholder may give Argentina written notice and declare "the principal amount of such Securities held by it to be due and payable immediately," together with all accrued interest.

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<sup>1</sup> A copy of the 1994 Fiscal Agency Agreement is annexed to the Complaint as Exhibit A.

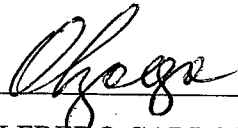
8. By letter dated June 19, 2007, I provided Argentina with written notice that I was declaring the principal and interest on the Bonds to be due and payable. A copy of that letter is annexed hereto as Exhibit 2.

9. Since then, Argentina has failed to make any payment of principal or interest to me.

10. By reason of the foregoing, Argentina has defaulted on its obligations, and summary judgment is warranted as against it.

I declare under penalty of perjury under the laws of the United States of America that to the best of my knowledge the foregoing is true and correct.

Dated: January 4, 2008

  
\_\_\_\_\_  
ALFREDO CARLOS ALZAGA

# **EXHIBIT 1**

# CAJA DE VALORES

## STATEMENT OF ACCOUNT

**ALZAGA, ALFREDO CARLOS**

Peru 424

8000 Bahia Blanca

Buenos Aires

### BALANCE AND MOVEMENTS OF NEGOTIABLE SECURITIES IN CUSTODY from July 1, 2007 to September 30, 2007

Number of principal: 0000004545-1

Number of pages: 0001/\*\*\*2

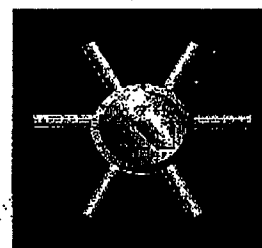
Depositor: (0068) Bahia Blanca Sociedad de Bolsa S.A.

Date	Movements of the period	Credits/Debits	Balance
	Republic of Argentina Global (06658) CED US040114GF14		
	Bond in US\$ - Maturity:		
	12/19/08		
	Initial balance		264,100.000000
	New balance		264,100.000000

Over

## RESUMEN DE CUENTA

ALZAGA ALFREDO CARLOS

PERU 424  
8000 BAHIA BLANCA  
BS.AIRES

## SALDOS Y MOVIMIENTOS DE LA CUSTODIA DE VALORES NEGOCIABLES

DEL 01/07/07 AL 30/09/07

N° COMITENTE

0000004545-1

DEPOSITANTE

(0068) BAHIA BLANCA SOCIEDAD DE BOLSA S.A.

N° HOJA

0001/\*\*\*2

CAJA DE  
VALORES

FECHA	MOVIMIENTOS DEL PERIODO	CREDITOS / DEBITOS (-)	SALDO
	ACINDAR S.A. ORDE. 1 VOTO ESCRITURALES (00004)	ARP008791179	
	SALDO INICIAL		1.800,0000000
31/07/07	TRF.P/LIQ.OPER.	600,0000000	2.400,0000000
16/08/07	TRF.P/LIQ.OPER.	600,0000000	3.000,0000000
20/09/07	DEBITO GTIA. MV.	3.000,0000000-	0,0000000
	NUEVO SALDO		*****0,0000000
	* BCO. FRANC. ESCRITURALES 1 VOTO (00094)	ARP125991090	
	SALDO INICIAL		970,0000000
09/08/07	TRF.P/LIQ.OPER.	220,0000000	1.190,0000000
	NUEVO SALDO		*****1.190,0000000
	* SOC.COMERCIAL DEL PLATA IV. ESCRIT. (00251)	ARP290071462	
	SALDO INICIAL		32.000,0000000
04/07/07	TRF.P/LIQ.OPER.	5.000,0000000	37.000,0000000
19/07/07	CREDITO GTIA.MV.	3.000,0000000	40.000,0000000
20/07/07	DEBITO GTIA. MV.	22.000,0000000	18.000,0000000
23/07/07	DEBITO GTIA. MV.	18.000,0000000-	0,0000000
25/07/07	CREDITO GTIA.MV.	9.780,0000000	9.780,0000000
26/07/07	TRF.P/LIQ.OPER.	5.000,0000000	14.780,0000000
27/07/07	CREDITO GTIA.MV.	2.280,0000000	17.060,0000000
31/07/07	DEBITO GTIA. MV.	1.660,0000000-	15.400,0000000
01/08/07	DEBITO GTIA. MV.	15.400,0000000-	0,0000000
17/08/07	TRF.P/LIQ.OPER.	4.000,0000000	4.000,0000000
21/08/07	DEBITO GTIA. MV.	4.000,0000000-	0,0000000
22/08/07	TRF.P/LIQ.OPER.	5.000,0000000	5.000,0000000
28/08/07	DEBITO GTIA. MV.	5.000,0000000-	0,0000000
	NUEVO SALDO		*****0,0000000
	* ENDESA COSTANERA "B" ESCRIT. 1 V. (00386)	ARP2341J1058	
	SALDO INICIAL		680,0000000
06/07/07	TRF.P/LIQ.OPER.	680,0000000-	0,0000000
21/08/07	TRF.P/LIQ.OPER.	720,0000000-	720,0000000
30/08/07	TRF.P/LIQ.OPER.	720,0000000-	0,0000000
	NUEVO SALDO		*****0,0000000
	* GAROVAGLIO Y ZORRAQUIN ORD.IV. (00480)	ARP46022102	
	SALDO INICIAL		23.279,0000000
09/08/07	TRF.P/LIQ.OPER.	3.000,0000000	26.279,0000000
	NUEVO SALDO		*****26.279,0000000
	* SOLVAY INDUPA S.A.I.C. (00571)	ARP533511050	
	SALDO INICIAL		6.485,0000000
	NUEVO SALDO		*****6.485,0000000
	* PETROBRAS ENERGIA PARTICIPACIONES ESCRIT (00825)	ARHOLD010025	
	SALDO INICIAL		1.900,0000000
	* BONO GLOBAL REP.ARG.U\$S VTO.19/12/08 (06658)	CED US040114GF14	
	SALDO INICIAL		264.100,0000000
	NUEVO SALDO		*****264.100,0000000

En caso de disconformidad con los saldos contenidos en este Resumen de Cuenta, podrá dirigirse, a efecto de formular su reclamo, al Mercado de Valores o Entidad Autorregulada a la cual pertenece el Depositante.

Ver al dorso

# **EXHIBIT 2**

# DREIER<sup>LLP</sup>

ATTORNEYS AT LAW

Cara S. Mittleman  
Direct 212 328 6119  
cmittleman@dreierllp.com

June 19, 2007

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

The Republic of Argentina  
c/o Deutsche Bank, as Fiscal Agent  
60 Wall Street  
New York, NY 10005

Attn: Mr. Stan Burg

Re: **Notice of Acceleration**

Dear Mr. Burg,

We write this letter on behalf of our client, Alfredo Carlos Alzaga.

Mr. Alzaga is the owner of certain bonds issued by the Republic of Argentina (the “Republic”) pursuant to a Fiscal Agency Agreement, dated as of October 19, 1994 (the “Fiscal Agency Agreement”). In particular, Mr. Alzaga is the owner of the following bonds issued by the Republic:

<u>Face Amount</u>	<u>ISIN No.</u>
\$ 264,100	US040114GF14

Pursuant to paragraph 12 of the Fiscal Agency Agreement, we hereby provide the Republic with notice that Mr. Alzaga declares the principal of and interest on the foregoing bonds to be immediately due and payable. The entire corpus and interest earned to date should be forwarded to this firm, as counsel for Mr. Alzaga.

Very truly yours,



Cara S. Mittleman